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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/579,331	05/25/2000	Roger V. Beathard	062891.0406	7232

5073 7590 12/28/2007  
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SUITE 600  
DALLAS, TX 75201-2980

EXAMINER
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ADDY, THJUAN KNOWLIN

ART UNIT	PAPER NUMBER
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2614

NOTIFICATION DATE	DELIVERY MODE
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12/28/2007

ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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## Office Action Summary

Application No.

09/579,331

Applicant(s)

BEATHARD ET AL.

Examiner

Thjuan K. Addy

Art Unit

2614

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 09 October 2007.
- 2a) ☐ This action is **FINAL**.
- 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1,2,4,6-14,16,18-33,35-44,46 and 48-51 is/are pending in the application.
  - 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 13,14,16,18-32,44,46 and 48-51 is/are allowed.
- 6) ☒ Claim(s) 1,2,4,6-12,33 and 35-43 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 May 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
  - Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
  - Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    - a) ☐ All b) ☐ Some \* c) ☐ None of:
      - 1. ☐ Certified copies of the priority documents have been received.
      - 2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
      - 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Response to Amendment***

1. Applicant's amendment filed on October 09, 2007 has been entered. Claims 1, 13, 33, and 44 have been amended. Claims 3, 5, 15, 17, 34, 45, and 47 have been cancelled. No claims have been added. Claims 1, 2, 4, 6-14, 16, 18-33, 35-44, 46, and 48-51 are now pending in this application, with claims 1, 13, 33, and 44 being independent.

### ***Allowable Subject Matter***

2. Claims 13, 14, 16, 18-32, 44, 46, 48-51 are allowed.

3. The following is an examiner's statement of reasons for allowance: The invention as now claimed is not disclosed nor rendered obvious in view of the prior art of record. As to independent claims 13 and 44, the prior art of record fails to teach or suggest, alone or in combination, the recited call manager comprising a route list control process associated with the telephone number and operable to: receive the call request from the call control module; access an associated route list to determine a port of a gateway device operable to transmit the call request to the second telephony device, wherein the route list comprises a plurality of route groups, each route group including a list of one or more ports of a plurality of gateway devices; and communicate the call request to a second call manager coupled to the packet-based network and controlling

the gateway device included in the route list. No prior art was found that discloses or teaches these limitations of claims 13 and 44.

4. Claims 14, 16, 18-32, 46, and 48-51 are dependent upon claims 13 and 44, respectively, therefore, claims 14, 16, 18-32, 46, and 48-51 are allowed.

5. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1, 2, 4, 6-12, 33, and 35-43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Grabelsky et al (US 6,711,159), in view of Bowker et al (US 4,797,915).

7. In regards to claims 1, 12, 33, 38, 39, 40, and 43, Grabelsky discloses a method and call manager for call routing, comprising: receiving a call request at a first call manager (See Fig. 1 and switch 30) from a first telephony device (See Fig. 1 and first media device/analog telephone 20) coupled to a packet-based network (See Fig. 1 and IP network 10), the call request including a telephone number associated with a second

telephony device (See Fig. 1 and second media device/IP telephone 22); accessing a route list (e.g., list of a plurality of gateway devices and their available ports) associated with the telephone number to determine a port of a gateway device operable to transmit the call request to the second telephony device; and communicating the call request to a second call manager (See Fig. 1 and media gateway controller (MGCs) 50a and 50b) controlling the gateway device included in the route list (See col. 2 lines 29-44, col. 3 lines 3-20, and col. 4 lines 12-33). Grabelsky, however, does not disclose wherein the route list comprises a plurality of route groups, each route group including a list of one or more ports of a plurality of gateway devices. Bowker, however, does disclose wherein the route list (See Fig. 6 and route table 611) comprises a plurality of route groups (See Fig. 6 and group (plurality) of line (route) pools (groups) 621-623), each route group including a list of one or more ports of a plurality of gateway devices (See Abstract, col. 3 lines 3-35, and col. 4-5 lines 63-11). Therefore, it would have been obvious for one of ordinary skill in the art at the time of the invention to incorporate these features within the method, as a way of providing an automatic all routing capability for a system, which enable an administrator to designate the manner in which line pools are selected for the placement of external calls.

8. In regards to claim 2, Grabelsky discloses the method, wherein: the packet-based network comprises an Internet Protocol (IP) network (See Fig. 1 and IP network 10); the first telephony device comprises an IP telephony device (See Fig. 1 and IP telephone 22); and the second telephony device comprises a non-IP telephony device (See Fig. 1 and analog telephone 20) (See col. 3 lines 42-60).

9. In regards to claims 4, 7, 35, and 36, Grabelsky discloses the method, call manager, and call manager software, wherein accessing a route list associated with the telephone number comprises accessing a route list to obtain the device name and port number of the gateway device (See col. 2 lines 3-20 and col. 5-6 lines 57-15).

10. In regards to claims 6 and 37, Grabelsky discloses all of claims 6 and 37 limitations, except the method, further comprising: communicating the device name of the gateway device to a device manager executed by the first call manager; and accessing a device name mapping table using the device manager to determine a PID of a first device process executed by the second call manager and controlling the gateway device. Bowker, however, does disclose communicating the device name of the gateway device to a device manager executed by the first call manager; and accessing a device name mapping table using the device manager to determine a PID of a first device process executed by the second call manager and controlling the gateway device (See col. 3 lines 24-35, col. 5 lines 14-41, and col. 7 lines 7-31).

11. In regards to claims 8 and 9, Grabelsky discloses the method and call manager, further comprising: communicating the call request and the port number from the first device process to the gateway device; receiving a call proceed signal from the gateway device indicating acceptance of the call request; and communicating the call proceed signal from the second call manager to the first call manager (See col. 7 lines 3-23).

12. In regards to claims 10 and 41, Grabelsky discloses the method and call manager, further comprising: communicating the call request and the port number from the first device process to the gateway device; receiving a call denial signal from the

gateway device indicating a denial of the call request; and communicating the call denial signal from the second call manager to the first call manager (See col. 7 lines 24-43).

13. In regards to claims 11 and 42, Grabelsky discloses all of claims 11 and 42, limitations, except the method and call manager, further comprising: accessing a device name mapping table using the device manager to determine a PID of a second device process executed by the second call manager and controlling the second gateway device. Bowker, however, does disclose accessing a device name mapping table using the device manager to determine a PID of a second device process executed by the second call manager and controlling the second gateway device (See col. 3 lines 24-35, col. 5 lines 14-41, and col. 7 lines 7-31).

### ***Response to Arguments***

14. Applicant's arguments filed 10/09/2007 have been fully considered but they are not persuasive.

15. In regards to claims 1 and 33, Applicants argue that the cited references do not disclose that a "route list comprises a plurality of route groups, each route group including a list of one or more ports of a plurality of gateway devices." In regards to claims 6, 11, and 37, Applicants argue that both Bowker and Grabelsky fail to disclose accessing a device mapping table to determine a process identification of a first device process executed by a second call manager.

16. In response to Applicants' argument concerning the cited references not disclosing, the limitation of claims 1 and 33, such as a route list comprising a plurality of

route groups, each route group including a list of one or more ports of a plurality of gateway devices, Examiner respectfully disagrees. Bowker discloses the limitation of claims 1 and 33, wherein the route list (See Fig. 6 and route table 611) comprises a plurality of route groups (See Fig. 6 and group (plurality) of line (route) pools (groups) 621-623), each route group including a list of one or more ports of a plurality of gateway devices (See Abstract, col. 3 lines 3-35, and col. 4-5 lines 63-11).

17. In response to Applicants' argument concerning both Bowker and Grabelsky failing to disclose the limitation of claims 6, 11, and 37, such as accessing a device mapping table to determine a process identification of a first device process executed by a second call manager, Examiner respectfully disagrees. Bowker discloses the limitation of claims 6, 11, and 37, of communicating the device name of the gateway device to a device manager executed by the first call manager; and accessing a device name mapping table using the device manager to determine a PID of a first device process executed by the second call manager and controlling the gateway device (See col. 3 lines 24-35, col. 5 lines 14-41, and col. 7 lines 7-31).



**Conclusion**

18. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thjuan K. Addy whose telephone number is (571) 272-7486. The examiner can normally be reached on Mon-Fri 8:30-5:00pm.

19. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar can be reached on (571) 272-7488. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

20. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

A handwritten signature in black ink, appearing to read 'Thjuan K. Addy', with a long horizontal flourish extending to the right.

Thjuan K. Addy  
Patent Examiner  
AU 2614